S.B. CIVIL WRIT PETITION NO.293/2005
Amba Lal Deedwania vs. State and others.

Date : 17.1.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. R.S. Chundawat, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 19.2.2003 (Annex.5) passed by the State Government by which the petitioner was found guilty of making payment of Rs.3,31,315/-.

It is alleged that the petitioner paid the above amount to the contractor despite the fact that the contractor supplied sub-standard goods and by this, the petitioner, who was acting on the post of Pradhan, Panchayat Samiti, Deogarh, caused loss of Rs.2,52,442/-.

It appears from the facts of the case that the petitioner was given full opportunity before holding the petitioner guilty vide order dated 19.2.2003. The explanation given by the petitioner was rejected by a reasoned order and it appears from the facts of the case that the facts are not in dispute that the sub-standard goods were purchased and the payment was made which is to the tune of more than Rs.3 lakhs.

In the totality of the circumstances, I do not find any illegality in the impugned order and hence, there is no illegality in the recovery notice issued by the Panchayat Samiti, Deogarh dated 19.7.2004 (Annex.6).

In view of the above, this writ petition, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya